THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 17804 of 2007

Dated: 23.08.2007

Between:

A.Umamaheswara Rao

.... PETITIONER

AND

The Vice Chairman & Managing Director, APSRTC, Musheerabad, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 17804 of 2007

Order:

The petitioner states that while he was working as driver in the respondents-Corporation, as he was declared medically unfit to hold the said post on the ground of defective vision and not provided any alternative employment as per the provisions of Section 47 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (for short 'the Act'), he made a representation dated 21.07.2007 requesting the respondents-Corporation to provide alternative employment, but so far no orders thereon have been passed. Hence, he filed the present writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-Corporation.

The petitioner is stated to have submitted a representation to the respondents-Corporation, seeking to provide alternative employment in view of his medical unfitness, very recently i.e., on 21.07.2007. Without even giving time for the respondents to consider his representation, the petitioner filed the present writ petition on 21.08.2007. It is premature to say at this stage that the respondents would not consider his request for providing alternative employment.

However, inasmuch as the representation dated 21.07.2007, said to have been made by the petitioner under Section 47 of the Act requesting to provide alternative employment, is pending consideration before the respondents-Corporation, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following directions.

The respondents-Corporation are directed to consider the representation of the petitioner, if any, for providing alternative

employment in view of his medical unfitness in the light of the provisions under Section 47 of the Act and pass appropriate orders thereon, in usual course.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 23.08.2007
VGB